



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 04, 2005

Thomas C. Warner
School Administrative Unit No. 38
600 Old Homestead Highway
Swansey, NH 03446

RECEIVED & INSPECTED

OCT 24 2005

FCC - MAILROOM

Re: Applicant Name: HINSDALE SCHOOL DISTRICT
Billed Entity Number: 121082
Form 471 Application Number: 487048
Funding Request Number(s): 1351617, 1351618
Your Correspondence Dated: April 12, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1351617, 1351618
Decision on Appeal: **Denied**
Explanation:

- On appeal, you are seeking the reversal of the SLD's decision to reject the school's Funding Year 2005 Form 471 application on the basis that the application was completed online on February 23, 2005 and the certification were postmarked on February 24, 2005, which is after the 2005-2006 filing window closed on 11:59 P.M. on Friday, February 18, 2005. You maintain that you had previously submitted the Form 471 application and certification via mail prior to February 4, 2005 but their receipt could not be confirmed by SLD customer support on February 21, 2005.
- In your letter of appeal, you acknowledge that your application was postmarked and completed on February 23, 2005 which is after the close of the filing window. In your letter of appeal, you maintain that you had previously submitted a copy of

your Form 471 application and certification prior to February 4, 2005 but did not send it on a return receipt basis. After an investigation of our records, your previous submission could not be located. Since you did not provide any additional documentation that would support the reversal of the original determination by SLD, we must use the records that we have. In order to be considered within the Funding Year 2005 window, your application and certification should have been postmarked or filed by 1:59 p.m. EST on February 18, 2005. It is the responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner.

- SLD denied your funding request(s) because it determined that your Form 471 Application and Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Application and Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

**Proceedings of the Annual Meeting of the Hinsdale School District
Hinsdale High School – Hinsdale, New Hampshire
Saturday, March 19, 2005**

The meeting was called to order by Moderator Richard S. Johnson, Jr. at 9:00 am at the Hinsdale High School Gymnasium.

The Town CheckList was available for use throughout the meeting. Present in addition to the Moderator and Clerk Robin Hodgman were Supervisors of the CheckList Maria Shaw, Deborah Wilson and Kelly Savory and Ballot Clerk Nancy Clem. Also present were School Board members Ann Marie Diorio, Joann Mulligan, Joseph Novick, Tia Sherman and Wayne Temmen.

School Board Chairperson Wayne Temmen welcomed everyone to the meeting. Mr. Temmen then recognized outgoing Board members Ann Marie Diorio and Joann Mulligan for their years of dedicated service to the children of the Hinsdale School District and thanked them on behalf of the Board.

Peter Zavorotny made a motion, which was seconded, to dispense with the reading of the Warrant in its entirety and to take up each article individually. The vote was in the affirmative.

Article 1. The Moderator read Article 1 as printed. To see if the Hinsdale School District will vote to raise and appropriate the sum of \$13,600,000 for the construction and original equipping of a new school building and to authorize the issuance of not more than \$13,600,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33) and authorize the School Board to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore, to raise and appropriate \$385,334 for the first interest payment from taxation. **(Subject to appropriation on an annual basis, the State of New Hampshire will pay 60 percent of the principal of the District debt service on the bond).** Peter Zavorotny made a motion to accept Article 1 as printed. The motion was seconded and discussion on Article 1 ensued.

Mr. Temmen presented an overview of the expansion/renovation plan, including changes made to the plan presented at the 2004 Annual District meeting in response to concerns expressed by the voters at that time. He also reviewed space requirements, projected growth in number of students, state building aid, the cost of the Bond on the tax base and operating costs that were questioned by voters at the 2004 Annual District Meeting. He then reviewed staffing levels, which were a concern by voters at the 2004 Annual District Meeting and explained that staffing is student driven, not facility driven. Mr. Temmen reviewed also reviewed the renovations that would be included in Article 2, if Article 1 fails, noting that while Article 2 will address needed maintenance items, it will not address at all the space issue. He then reviewed excerpts from the New England Association of Schools and Colleges (NEASC) that addressed the conditions of the high school facility and the need for additional space for curriculum purposes. He noted that that keeping our accreditation would hinge somewhat on addressing these issues. Finally, Mr. Temmen reviewed a project schedule from groundbreaking to completion and reviewed the cost differences of expansion/renovation (Article 1) versus just renovation (Article 2).